Shaun Setareh (SBN 204514) 1 setarehlaw@sbcglobal.net LAW OFFICES OF SHAUN SETAREH 2 9454 Wilshire Boulevard, Penthouse Floor Beverly Hills, California 90212 3 Telephone: (310) 888-7771 4 Facsimile: (310) 888-0109 5 Attorneys for Plaintiffs, TIM O'NEILL, and all others similarly situated 7 (Additional Attorneys on Following Page) 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 TIM O'NEILL, on behalf of himself and all Case No. CV08-4107 SI 11 others similarly situated, STIPULATION AND [PROPOSED] 12 ORDER TO CONTINUE APRIL 23, 2010 CASE MANAGEMENT CONFERENCE 13 Plaintiffs, 14 VS. GENESIS LOGISTICS, INC.; and DOES 1 to 15 50, inclusive, 16 Defendants. 17 18 19 20 21 22 23 24 25 26 27 28 STIPULATION AND [PROPOSED] ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE

STIPULATION

WHEREAS on December 22, 2009, the parties reached an agreement on the core provisions of a proposed class action settlement;

WHEREAS on February 25, 2010, this Court continued the Case Management Conference that was initially scheduled for February 26, 2010 to April 23, 2010 based on the parties' stipulation of February 24, 2010 to allow them time to negotiate and finalize the class settlement and prepare and submit settlement-related documents for Court approval;

WHEREAS the parties have finalized the class settlement agreement and currently anticipate that the preliminary settlement approval motion and related documents will be filed by April 30, 2010 and the motion will be heard on June 4, 2010 at 2:30 p.m.;

WHEREAS the parties believe it would be most efficient for both them and this Court to consolidate the Case Management Conference and motion hearings;

IT IS HEREBY STIPULATED that the April 23, 2010 Case Management Conference is continued until June 4, 2010.

DATED: April 2/5, 2010

LAW OFFICES OF SHAUN SETAREH

BY

SHAUN SETAREH

Attorneys for Plaintiff

DATED: April <u>ル</u>, 2010

RAO TILIAKOS LLP

BY

ANTHONY RAO Attorneys for Defendant

[PROPOSED] ORDER

FOR GOOD CAUSE, THE FOREGOING STIPULATION IS APPROVED AND IS SO

ORDERED. This Court continues the Case Management Conference to June 4, 2010 at 9:00.

DATED: April ____, 2010

HONORABLE SUSAN ILLSTON